FARAD CONTINUATION SHEET NO.:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.7244 OF 2004

| Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
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Mrs.Veena B. Thadhani for petitioner.

Mr.P.I. Khemani, AGP for res.Nos.1 & 2.

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**CORAM : H.L GOKHALE, J.**

**DATED : 5th September 2005**

P.C. :

1. Heard the learned Counsel for the parties.

2. Mrs.Thadhani, learned Counsel appearing for the petitioner, informs that by an enactment of the State Legislature being Bombay Police Amendment Act, 2005, all performances in eating houses are prohibited. Similar other Petitions like the present one came before a Division Bench taking criminal writs and the Division Bench took the view that in view of that Act, these

Petitions have become infructuous. Since another Division Bench has taken that view, the present Petition will also have to be treated as infructuous as of now. The other Division Bench has granted liberty to file a fresh Petition in those matters in the event the challenge to that Act succeeds. On the same footing, we dispose of the present Petition as rendered infructuous with liberty to the petitioner to file a fresh Petition to challenge the orders which are challenged in the present Petition on the grounds that would become available to the petitioner after the judgment is rendered in Writ Petition (Stamp) No.2027 of 2005 filed on the Original Side to challenge the said Act.

3. Petition stands disposed of with liberty as above.

(H.L.GOKHALE, J.)